THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO.21795 of 1999

Dated: 05-07-2006

Between:

Md. Aleemuddin.

..... PETITIONER

AND

The Government of A.P.,
Through Conservator of Forests,
Khammam and two others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.21795 of 1999

ORDER:

Petitioner is owner of M/s Star Saw Mill and Timber Depot situated at Khanapuram Haveli, Khammam. He purchased the same from one Smt. R. Varalakshmi under a registered sale deed dated 03-08-1998. The Divisional Forest Officer, second respondent herein, on 28-02-1999, rejected the request of the petitioner for grant of fresh licence for running the saw mill. Aggrieved by the same he preferred an appeal before the first respondent, who by impugned order dated 23-08-1999 confirmed the order of second respondent refusing saw mill licence. This Court while admitting the writ petition on 15-10-1999, in W.P.M.P.No.27316 of 1999 directed the second respondent to consider the case of the petitioner for issuance of saw mill licence without reference to the alleged forest offence committed by the previous owner of the saw mill.

In the counter-affidavit filed it is stated pursuant to the interim orders passed by this Court, the petitioner was granted saw mill licence on 23-12-1999 and that the petitioner gave an undertaking that he will not use the machinery and tools of saw mill in commission of any of forest offence. This is not denied by the learned counsel for the petitioner. Therefore, cause of action in the writ petition does not survive.

The writ petition is accordingly disposed of. No costs.

_____

(**V.V.S.RAO, J**)

5th July, 2006

ghn